

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6821**

**BILL NUMBER: SB 316**

**DATE PREPARED:** Dec 18, 2001

**BILL AMENDED:**

**SUBJECT:** Neighborhood Impact Statements.

**FISCAL ANALYST:** Mark Goodpaster

**PHONE NUMBER:** 232-9852

**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill authorizes a prosecuting attorney, in a prosecution involving a controlled substance offense, to submit a neighborhood impact statement describing the effect of the offense upon the neighborhood in which it was committed. It requires the court to consider the neighborhood impact statement when determining what sentence to impose for a controlled substance offense.

**Effective Date:** July 1, 2002.

**Explanation of State Expenditures:** When imposing a sentence for a crime involving controlled substances, the court would be required to consider any neighborhood impact statement that is prepared by the prosecuting attorney under this bill. The court could use this neighborhood impact statement to increase a criminal defendant's sentence. If a defendant's sentence is increased, then the defendant's length of stay in DOC facilities will increase.

The average expenditure to house an adult offender was \$22,131 in FY 2000. Individual facility expenditures ranged from \$16,442 to \$40,312. (This does not include the cost of new construction.) If offenders can be housed in existing facilities, the average cost for medical care, food, and clothing is approximately \$1,825 annually or \$5 daily per prisoner

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The prosecuting attorney would have the discretion to prepare a neighborhood impact statement to be presented at the sentencing of a defendant who has been convicted of violating an offense relating to one or more controlled substances. The penalty for violating a controlled substance chapter can range from a Class A infraction for possessing drug paraphernalia to a Class A felony for dealing in cocaine or a narcotic drug.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction

**Local Agencies Affected:** Prosecuting attorneys, trial courts with criminal jurisdiction.

**Information Sources:** IC 35-48-4.